

Appendix A: Notices and EIS Distribution List

Notice of Intent, June 28, 2000

[Federal Register: June 28, 2000 (Volume 65, Number 125)]

[Notices]

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DEPARTMENT OF THE INTERIOR
Fish and Wildlife Service

Preparation of an Environmental Impact Statement/ Environmental
Impact Report for Federal and State Actions Associated With the
Coachella Valley Multiple Species Habitat Conservation Plan/Natural
Communities Conservation Plan

AGENCY: Fish and Wildlife Service, Interior (Lead Agency).

COOPERATING AGENCIES: Bureau of Land Management, Interior; National
Park Service, Interior; Forest Service, Agriculture; California
Resources Agency; California Department of Fish and Game; California
Department of Parks and Recreation; and Coachella Valley Association of
Governments.

ACTION: Notice of intent; notice of public meeting.

SUMMARY: The Fish and Wildlife Service and cooperating agencies are
gathering information necessary for the preparation of an Environmental
Impact Statement/Environmental Impact Report (Impact Statement/Report).
This Impact Statement/Report will consider the actions of Federal,
State, and local agencies, as well as private interests, associated
with implementation of the Coachella Valley Multiple Species Habitat
Conservation Plan/Natural Communities Conservation Plan(Multispecies
Plan) and the issuance of incidental take permits pursuant to section
10(a)(1)(B) of the Federal Endangered Species Act of 1973, as amended,
and section 2081 of the California Endangered Species Act. The Impact
Statement/Report also will consider the Bureau of Land Management's
proposed amendment of the California Desert Conservation Plan to
conform with the Multispecies Plan. In addition, the Impact Statement/
Report will consider any other actions by other Federal or State
agencies that are necessary or appropriate to implement the
Multispecies Plan.

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We encourage interested persons to attend public meetings to identify and discuss the scope of issues and alternatives that should be addressed in the Multispecies Plan and in the Impact Statement/Report. We provide this notice pursuant to the Council on Environmental Quality regulations for implementing the procedural provisions of the National Environmental Policy Act (40 CFR 1501.7 and 1508.22).

DATES: We must receive your written comments by July 28, 2000. See SUPPLEMENTARY INFORMATION section for meeting dates and locations.

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ADDRESSES: Send comments regarding the scope of the Impact Statement/Report as it relates to the proposed Multispecies Plan to the Field Supervisor, Fish and Wildlife Service, 2730 Loker Avenue West, Carlsbad, California 92008; facsimile 760/431-9624. Send comments regarding the scope of the Impact Statement/Report as it relates to the proposed amendment of the Desert Conservation Plan to the Field Manager, Bureau of Land Management, Palm Springs-South Coast Field Office, P.O. Box 1260, North Palm Springs, California 92258-1260; facsimile 760/251-4899.

FOR FURTHER INFORMATION CONTACT: Mr. Pete Sorensen, Supervisory Fish and Wildlife Biologist, Carlsbad Fish and Wildlife Office, Carlsbad, California; telephone 760/431-9440; or Ms. Elena Misquez, Planning and Environmental Coordinator, Bureau of Land Management, Palm Springs-South Coast Field Office, North Palm Springs, California; telephone 760/251-4810.

SUPPLEMENTARY INFORMATION: All comments that we receive will become part of the administrative record and may be released to the public. You may view these comments during normal business hours (8 a.m. to 5 p.m., Monday through Friday) at the above offices (see ADDRESSES). Please call for an appointment.

In addition, you may obtain specific information regarding the location of lands proposed for conservation from Mr. Steve Nagle, Coachella Valley Association of Governments, 73-710 Fred Waring Drive, Suite 200, Palm Desert, California 92260; telephone 760/346-1127; facsimile 760/340-5949.

Meetings

We will hold public meetings as follows:

July 10, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers, 68-700 Avenida Lalo Guerrero, Cathedral City, California.

July 11, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers, 68-700 Avenida Lalo Guerrero, Cathedral City, California.

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July 12, 2000, 6:30 p.m. to 8:30 p.m., City Hall Council Chambers,
78-495 Calle Tampico, La Quinta, California.

The meetings on July 10 and 12 broadly focus on the scope and content of the Impact Statement/Report as it relates to the proposed Multispecies Plan and to the proposed amendment of the California Desert Conservation Plan. The meeting on July 11 specifically focuses on the trail component of these plans.

Background

Section 9 of the Federal Endangered Species Act and regulations prohibit the "take" of animal species listed as endangered or threatened. That is, no one may harass, harm, pursue, hunt, shoot, wound, kill, trap, capture or collect listed animal species, or attempt to engage in such conduct (16 USC 1538). "Harm" is defined by regulation to include significant habitat modification or degradation that actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering (50 CFR 17.3). Under certain circumstances, the Fish and Wildlife Service may issue permits to authorize "incidental" take of listed animal species (defined by the Act as take that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity). Regulations governing permits for federally-listed threatened and endangered species, respectively, are at 50 CFR 17.32 and 50 CFR 17.22. The California Department of Fish and Game has similar provisions for incidental take of species listed under the California Endangered Species Act.

The Coachella Valley Association of Governments and its member jurisdictions (Riverside County and 9 municipalities) intend to apply for incidental take permits from the Fish and Wildlife Service and the California Department of Fish and Game. As part of the application process, the Association is developing the Multispecies Plan for an anticipated 31 target species and 24 habitat types currently within their jurisdiction. We anticipate that the permit applications for incidental take will include 20 unlisted species and the following 11 federally-listed species: Peninsular bighorn sheep (*Ovis canadensis*), desert tortoise (*Gopherus agassizii*), Southwest arroyo toad (*Bufo microscaphus californicus*), desert slender salamander (*Batrachoseps aridus*), Coachella Valley fringe-toed lizard (*Uma inornata*), desert pupfish (*Cyprinodon macularius*), Yuma clapper rail (*Rallus longirostris yumanensis*), least Bell's vireo (*Vireo bellii pusillus*), Southwestern willow flycatcher (*Empidonax trailii extimus*), Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*), and triple-ribbed milk-vetch (*Astragalus tricarinatus*).

The take prohibitions of the Federal Endangered Species Act do not apply to listed plants on private land unless their destruction on private land is in violation of State law. Nevertheless, we expect that

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the Coachella Valley Council of Governments and its member jurisdictions will consider plants in the Multispecies Plan and request permits for them to the extent that State law applies.

The 1,206,578-acre (1,885 square-mile) planning area for the Multispecies Plan is located in the central portion of Riverside County, California. It generally is defined by the ridgelines of the San Jacinto, Santa Rosa, and Little San Bernardino Mountains, extending to the Imperial and San Diego County lines from the Cabazon/San Gorgonio Pass area in the northwest to, and including, portions of the Salton Sea in the southeast.

Approximately 45 percent of the planning area consists of lands under the ownership and management of the Bureau of Land Management, while private lands total about 43 percent. The remaining 12 percent includes native American, State, and other public and quasi-public lands.

The Multispecies Plan is being designed to assure the conservation of adequate habitat and ecological processes for the protection and long-term viability of populations of the target species that are either listed as threatened or endangered, are proposed for listing, or are believed to have a high probability of being proposed for listing in the future if they are not protected by the Multispecies Plan. A critical consideration of the Plan is allowing key ecological processes, such as sand movement by wind and water, to support a shifting network of sand dunes essential to the well being of the target species. Plan developers are considering conservation of core habitat areas and linkages primarily through protection and management of existing public and quasi-public lands, and through acquisition of additional lands by cooperating Federal, State, and local governments from willing sellers throughout the planning area. The linkage areas connecting core habitat areas are intended to assure the long-term protection of movement or migratory corridors through which wildlife populations can mix and perpetuate a healthy gene pool.

Project Alternatives

A range and mix of public and private lands are under consideration and will be analyzed as project alternatives in the Impact Statement/ Report, including a ``No Project" alternative that assesses the efficacy of species and habitat protections, as well as associated impacts. Each alternative is summarized below.

No Project Alternative: Under this alternative, an area-wide Multispecies

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Plan would not be adopted. Hence Federal and State incidental take permits would be issued incrementally for individual projects. Assemblage of an effective preserve system would be unlikely. Over

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time, additional species would likely become listed, further complicating continued urban development. The land development permit process would continue to be lengthy, costly, and uncertain.

Existing Conservation Lands Alternative: Only existing reserves and other public and private conservation lands with habitat for target species would be included in this alternative. The type, amount and location of lands conserved under this alternative would be insufficient to obtain incidental take permit coverage for most, if not all, of the target species. This alternative would not streamline development permit processing.

Core Habitat, Ecological Processes and Linkages Alternative: Developed by the Scientific Advisory Committee for the Multispecies Plan, this alternative focuses on protecting core habitat areas of sufficient size and long-term viability for the protection of target species and natural communities. This alternative also includes protection of essential ecological processes and wildlife movement corridors.

Expanded Core Habitat, Ecological Processes and Linkages Alternative: Based upon the previous alternative, this enhanced conservation alternative would include additional habitat, ecological processes and wildlife corridors to further ensure functionality.

Avoid or Minimize Incidental Take Alternative: Under this alternative, most remaining viable habitat for target species, and associated ecological process and wildlife corridor lands in the planning area would be incorporated into the preserve system. Conservation would focus on all large habitat blocks within the composite range of target species and would allow development of all isolated habitat fragments. Little economic incentive for private land-owner participation would be available and immediate land acquisition would likely be required to address the resulting take of private lands.

Alternative Funding and Implementation Mechanisms

Estimates of the costs associated with the dedication, acquisition, and management of lands to be protected in perpetuity under the Multispecies Plan have not yet been completed. Substantial Federal and State assets are currently proposed for inclusion in the Plan, as are county, local, and private lands. Several alternative approaches are under consideration.

Tool Box Approach: This implementation mechanism may take the form of zoning overlays, General Plan policies, ordinances, development fees, and mitigation ratios. Tools that may be used include: (a) Conservation easements, (b) density transfer and cluster development, (c) conservation banks, (d) donation of lands for tax benefits, and (e) inclusion of land in a habitat transaction system with pre-assigned habitat values or credits.

Immediate Purchase of All At-Risk Lands: This alternative

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represents the optimum implementation mechanism but would require the immediate or short-term availability of substantial funding for purchase of land and conservation easements. Potential funding sources may include biological resource impact-fees assessed to future development, State and Federal grants, government loan guarantees, landfill tipping fees, and local sales tax.

Combined Public Funds/Mitigation Fee for Land Acquisition and Management: This approach includes the combined use of State and Federal grants, as well as the payment of a standardized impact mitigation fees for development of lands outside conservation areas. Revenues from existing or new tax streams, bond issues, landfill tipping fees, and other sources are also being explored. Continued private contributions are expected to be available for habitat acquisition.

In addition, the Forest Service, pursuant to the National Forest Management Act of 1976, and the Bureau of Land Management, pursuant to the Federal Land Policy and Management Act of 1976, have authority to acquire, excess, exchange and transfer Federal lands, and will be the agencies primarily responsible for furthering the Federal realty actions. The State of California also acquires lands for conservation purposes through the Wildlife Conservation Board, the Department of Parks and Recreation, and the Coachella Valley Mountains Conservancy.

Proposed Amendment of the California Desert Conservation Plan

The Bureau of Land Management is participating as a responsible agency in the planning process. To ensure that its land use decisions are in conformance with the Multispecies Plan, the Bureau proposes to amend the California Desert Conservation Area Plan in compliance with the National Environmental Policy Act, the Federal Land Policy Management Act of 1976, and the Code of Federal Regulations (40 CFR part 1500 and 43 CFR part 1610).

The Bureau will use the Impact Statement/Report prepared for the Multispecies Plan as the Environmental Impact Statement for its proposed amendment to the Desert Conservation Plan. The Bureau will prepare a Record of Decision separate from that of the Fish and Wildlife Service. The proposed plan amendment will address changes in Bureau land use classifications, identify public lands for exchange to augment the multi-species reserve system, and designate new Areas of Critical Environmental Concern. The proposed plan amendment will take into consideration biological, botanical, cultural, wilderness, mineral and other natural resources, as well as use of the public lands for recreation, mineral extraction, utility corridors and other uses. Nothing in this proposed plan amendment shall have the effect of terminating any validly issued rights-of-way or customary operation, maintenance, repair, and replacement activities in such rights-of-ways in accordance with Sections 509(a) and 701(a) of the Federal Land Policy Management Act of 1976.

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Dated: June 21, 2000.

Elizabeth H. Stevens,

Deputy Manager, California/Nevada Operations Office, Region 1,
Sacramento, California.

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Notice of Intent Addendum, April 12, 2002

[Federal Register: April 12, 2002 (Volume 67, Number 71)]

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[Page 18022-18023]

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DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[CA-660-02-1610-DO]

Proposed California Desert Conservation Area Plan Amendment Palm
Springs-South Coast Field Office, California

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of intent.

SUMMARY: This notice is an addendum to the notice of intent published June 28, 2000 (pages 39920-39922) for the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) and California Desert Conservation Area (CDCA) Plan Amendment. In compliance with the National Environmental Policy Act of 1969 (NEPA), the Federal Land Policy Management Act of 1976 (FLPMA) and the Code of Federal Regulations (40 CFR 1501.7, 43 CFR 1610.2), notice is hereby given that the Bureau of Land Management (BLM), in collaboration with the Coachella Valley Association of Governments (CVAG), is preparing a joint Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the CVMSHCP and CDCA Plan Amendment. The CDCA Plan Amendment planning boundary extends beyond the CVMSHCP planning boundary (described below), incorporating BLM-managed public lands within the Santa Rosa Wilderness and public lands surrounding Coyote Canyon in Riverside County, and those portions of the San Geronio Wilderness and Big Morongo Canyon Area of Critical Environmental Concern (ACEC) within San Bernardino County. The CDCA Plan Amendment does not include lands within BLM's South Coast planning area.

The BLM invites the public to participate in this planning and NEPA process. Citizens are requested to help identify significant issues or concerns to be addressed in the draft CDCA Plan amendment and to provide input on BLM's proposed planning criteria described below under SUPPLEMENTARY INFORMATION.

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DATES: All comments received shall be taken into consideration prior to issuance of the Record of Decision. Please submit any scoping or proposed planning criteria comments in writing, 30-days from the date of this notice to ensure inclusion in the draft plan/EIS.

ADDRESSES: Written comments may be forwarded to the following address: Mr. James G. Kenna, Field Manager, Bureau of Land Management, Palm Springs-South Coast Field Office, 690 W. Garnet Ave., PO Box 581260, North Palm Springs, CA 92258-1260. Citizens submitting written comments will automatically be included in the mailing list to receive an electronic copy of the Draft CVMSHPC/CDCA Plan Amendment and joint EIS/EIR.

FOR FURTHER INFORMATION CONTACT: Ms. Elena Misquez, Planning and Environmental Coordinator, Bureau of Land Management, Palm Springs-South Coast Field Office, telephone (760) 251-4800.

SUPPLEMENTARY INFORMATION: The CVMSHCP planning boundary encompasses 1,205,780 acres located in the central portion of Riverside County, California. The CVMSHCP planning boundary generally is defined by the ridgelines of the San Jacinto, Santa Rosa and Little San Bernardino Mountains, extending to the Imperial and San Diego County lines from the Cabazon/San Gorgonio Pass area in the northwest to and including, portions of the Salton Sea to the southeast. Approximately 24 percent of the planning area consists of BLM-managed public lands, while private lands total about 43 percent. The remaining 33 percent includes Native American, State and other public and quasi-public lands.

The CDCA Plan Amendment planning boundary extends beyond the CVMSHCP planning boundary, incorporating BLM-managed public lands within the CDCA boundary in Riverside County in the vicinity of Coyote Canyon and the Santa Rosa Wilderness (Township 8 South, Ranges 4 and 5 East), and those portions of the San Gorgonio Wilderness and Big Morongo Canyon ACEC within San Bernardino County (Townships 1 North and 1 South, Ranges 3, 4 and 5 East.).

Proposals and alternatives (including the "no action" alternative) to be addressed include opportunities for new off-highway vehicle open areas, wind energy projects, saleable minerals extraction and communication sites, establishment of air quality and fire management guidelines for the public lands, identification of changes in land use classification, new ACEC designations and public lands available for disposal, a re-evaluation of the wild horse and burro program in Palm Canyon and grazing in the Whitewater Canyon allotment, in addition to the multiple species conservation program being considered for the Coachella Valley. To ensure the aforementioned proposals are in conformance with the CDCA Plan, an amendment to the CDCA Plan is required.

The following types of issues are anticipated to be addressed

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through this planning process: (1) Recovery of threatened and endangered species and the avoidance of future listings, (2) identifying compatible multiple uses within and outside the CVMSHCP reserve areas, (3) improving quality of life in the Coachella Valley by implementing practices which promote a healthy environment and by providing safe and enjoyable recreational opportunities, (4) designate routes of travel for motorized vehicle access, (5) address management of grazing and wild horse and burros in the mountains surrounding the Coachella Valley.

In compliance with 43 CFR 1610.4-2, the BLM requests public input on the following proposed planning criteria, which will guide development and establish "sideboards" for preparation of the CDCA Plan Amendment. Please submit any comments in writing to the BLM address listed above no later than 30 days from the date of this Federal Register notice. Development of the CDCA Plan Amendment shall be conducted:

In compliance with all applicable laws, regulations and policies which address such pertinent topics as BLM's multiple use mandate, valid existing rights, the Bureau's energy policy, ACECs, threatened and endangered species, route designation, land health, habitat and range management, cultural resources, Native American consultation, water quality, air quality, wilderness and other topics.

In close coordination with the local jurisdictions, State and other Federal agencies to ensure consistency with the CVMSHCP. BLM shall also consider updating its ACEC and Wildlife Habitat Management Plans to ensure consistency with the CVMSHCP.

To the extent practicable, without revising proposed decisions made through the Northern and Eastern Colorado Desert Plan.

Considering relevant plans such as Recovery Plans prepared by the US Fish and Wildlife Service, the Agua Caliente Band of Cahuilla Indians Land Management Plan, and other plans.

Such that nothing in the proposed plan amendment shall have the effect of terminating any validly issued rights-of-way or customary operation, maintenance, repair, and replacement activities in such rights-of-ways in accordance with sections 509(a) and 701(a) of FLPMA.

Selection of the preferred alternative will be based on the following proposed planning criteria:

Promote long-term recovery and viability of native flora and fauna.

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Do not unduly burden Bureau resources and funding capability, including maintenance activities.

Consider the manageability and implementability of approved actions relative to the urban/wildland interface and the

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public/private interface.

Provide for multiple-use opportunities on the public lands throughout the Coachella Valley landscape, including recreation and energy-related projects.

Seek to achieve common goals set forth in the CVMSHCP, selection of the preferred alternative shall be conducted in close coordination with the local jurisdictions to promote land management consistency, effectiveness and cost efficiency across jurisdictional boundaries.

An interdisciplinary team of BLM staff and contract specialists has been assembled to work on the plan amendment, representing the following disciplines: Wind energy, communications, socio-economics, minerals management, lands and realty, range management, recreation, wildlife, botany, cultural resources, air, water, soils, wilderness, wild and scenic rivers, planning, NEPA and other disciplines.

Citizens who wish to be actively involved with development of the CVMSHCP and CDCA Plan Amendment are encouraged to attend the Project Advisory Group (PAG) meetings held generally every fourth Thursday of the month starting at 9 a.m. in the CVAG conference room, 73-710 Fred Waring Drive, Palm Desert, CA 92260. Please contact the CVAG office at (760) 346-1127 for specific meeting dates.

Dated: February 7, 2002.

James G. Kenna,
Field Manager.

[FR Doc. 02-8876 Filed 4-11-02; 8:45 am]
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EIS Distribution List

A news release announcing the availability of the draft plans and draft EIS with instructions of how to obtain a copy (electronic or paper) was mailed to over 600 individuals, private interest groups and governmental agencies. This document is also available for public viewing at the following internet site: www.ca.blm.gov/palmsprings/. The following is a list of representatives and agencies who were directly mailed copies of the Draft EIS.

Federal

Congresswoman Mary Bono
Congressman Jerry Lewis
U.S. Environmental Protection Agency, Washington D.C.
U.S. Environmental Protection Agency, San Francisco
U.S. Fish and Wildlife Service, Carlsbad Field Office
U.S. Fish and Wildlife Service, Coachella Valley Refuge
U.S. Forest Service - San Bernardino National Forest
U.S. Forest Service - San Jacinto Ranger District
U.S. Bureau of Reclamation - Yuma Field Office
National Park Service - Joshua Tree National Park
Secretary, U.S. Department of Interior
Director, Bureau of Land Management

State of California

Office of the Governor
State Senator Jim Battin
Assemblyman David Kelley
South Coast Air Quality Management District
California Department of Fish and Game, Long Beach
California Department of Parks and Recreation
University of California, Riverside - Deep Canyon Reserve
University of California, Riverside - Conservation Biology
Winter Park Authority
Wildlife Conservation Board
Coachella Valley Mountains Conservancy
State Clearinghouse

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Indian Tribes

Agua Caliente Band of Cahuilla Indians
Augustine Band of Mission Indians
Cabazon Band of Mission Indians
Cahuilla Band of Indians
Colorado River Indian Tribes
Fort Mojave Indian Tribe
Los Coyotes Band of Indians
Morongo Band of Mission Indians
Ramona Band of Mission Indians
Santa Rosa Band of Mission Indians
Torres-Martinez Band of Desert Cahuilla Indians
Twenty-Nine Palms Band of Mission Indians

Local Jurisdictions

Coachella Valley Association of Governments
County of Riverside
Sky Valley Community Council
Pinion Community Council
City of Idyllwild
City of Desert Hot Springs
City of Palm Springs
City of Cathedral City
City of Rancho Mirage
City of Palm Desert
City of Indian Wells
City of La Quinta
City of Indio
City of Coachella
Desert Water Agency
Coachella Valley Water District
Imperial Irrigation District
Metropolitan Water District
Center for Natural Lands Management